REC'D 2 3 FEB 2004

INTERNATIONAL PRELIMINARY EXAMINATION REPORT (PCT Article 36 and Rule 70)

PCT

See Notification of Transmittal of International Preliminary FOR FURTHER Applicant's or agent's file reference Examination Report (Form PCT/IPEA/416). ACTION 12303580/ALC Priority Date (day/month/year) International Filing Date International Application No. (day/month/year) 5 July 2002 4 July 2003 PCT/AU2003/000866 International Patent Classification (IPC) or national classification and IPC F41A 19/57, 1/00; F42B 30/00; F42C 9/10 Int. Cl. 7 Applicant METAL STORM LIMITED et al 1. This international preliminary examination report has been prepared by this International Preliminary Examining Authority and is transmitted to the applicant according to Article 36. 2. This REPORT consists of a total of 3 sheets, including this cover sheet. This report is also accompanied by ANNEXES, i.e., sheets of the description, claims and/or drawings which have been amended and are the basis for this report and/or sheets containing rectifications made before this Authority (see Rule 70.16 and Section 607 of the Administrative Instructions under the PCT). These annexes consist of a total of ' sheet(s). 3. This report contains indications relating to the following items: Basis of the report п Non-establishment of opinion with regard to novelty, inventive step and industrial applicability Ш

	VIII Certain observations on the international application		
	Date of submission of the demand	Date of completion of the report 12 February 2004	
	2 February 2004  Name and mailing address of the IPEA/AU	Authorized Officer	
	AUSTRALIAN PATENT OFFICE PO BOX 200, WODEN ACT 2606, AUSTRALIA B-mail address ped@ipastralia.gov.au Facsimile No. (02) 6285 3929	JEFFREY CARL Telephone No. (02) 6283 2543	

Reasoned statement under Article 35(2) with regard to novelty, inventive step or industrial applicability;

Lack of unity of invention

Certain documents cited

citations and explanations supporting such statement

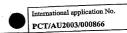
Certain defects in the international application

v

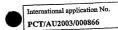
VI

VII

## INTERNATIONAL PRESENTATION REPORT



I. Basis of the report							
With regard to the elements of the international application:*							
X the international application as originally filed.	·						
the description, pages , as originally filed,							
pages , filed with the demand,							
pages, received on with the letter of							
the claims, pages, as originally filed,							
pages , as amended (together with any s	tatement) under Article 19,						
pages , filed with the demand,							
pages , received on with the letter of							
the drawings, pages, as originally filed,							
pages , filed with the demand,							
pages, received on with the letter of							
the sequence listing part of the description:							
pages , as originally filed							
pages , filed with the demand	,						
pages , received on with the letter of	evailable or furnished to this Authority in the language in						
the language of a translation furnished for the purposes of international sealer (all the language)							
the language of publication of the international application	(under Rule 48.3(b)).						
the language of the translation furnished for the purposes of international preliminary examination (under Rules 55.2							
and/or 55 3)							
3. With regard to any nucleotide and/or amino acid sequence disc	closed in the international application, the international						
preliminary examination was carried out on the basis of the se	quence listing:						
contained in the international application in written form.	'						
filed together with the international application in compute	er readable form.						
furnished subsequently to this Authority in written form.							
furnished subsequently to this Authority in computer read	able form.						
The statement that the subsequently furnished written seq	nence listing does not go beyond the disclosure in the						
The statement that the information recorded in computer	The statement that the information recorded in computer readable form is identical to the water equation.						
been furnished 4. The amendments have resulted in the cancellation of:							
4. The amendments have restricted in the constraint of the description, pages							
I =	•						
like channel,							
the drawings, sheets/fig.	dments had not been made, since they have been considered to						
go beyond the disclosure as filed, as indicated in the Sup	provided an invitation under Article 14 are referred to in this						
go beyond the disclosure as flied, as mucacut in the object of the second of the secon							
** Any replacement sheet containing such amendments must be refer	red to under item 1 and annexed to this report						



Reasoned statement under Article 35(2) with regard to novelty, inventive step or industrial applicability; citations
and explanations supporting such statement

					. `
1.	Statement	,	•	,	YES
	Novelty (N)	Claims 1-30			NO
		Claims			
	Inventive step (IS)	Claims 1-3			YES
		Claims			. NO
	·	Claims 1-3			YES
	Industrial applicability (IA)	,	U		NO
	·	Claims			

2. Citations and explanations (Rule 70.7)

All the documents cited in the ISR were category 'A' only. Therefore the claimed invention is not disclosed in any of these patent documents and hence all the claims are novel.

The claimed invention is not obvious in the light of any of the cited documents nor is it disclosed in any obvious combination of them. It is also considered that it would not be obvious to a person skilled in the art in the light of common general knowledge either by itself or in combination with any of these documents.